LETTERS

CONCERNING

The present State of the Church of SCOTLAND.

[Price SIXPENCE.]

BRITISH MUSEUM

LETTERS

CONCERNING

THE PRESENT STATE

OF THE

CHURCH OF SCOTLAND,

And the conſequent Danger to

RELIGION AND LEARNING,

FROM THE

Arbitrary and Unconſtitutional Exerciſe

OF THE

LAW OF PATRONAGE.

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LETTERS

CONCERNING

THE PRESENT STATE

OF THE

CHURCH OF SCOTLAND.

BRITISH MUSEUM

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LETTERS

CONCERNING

The preſent State of the Church of SCOTLAND.

LETTER I.

WITHOUT inſiſting upon your concern for the public, the vindication of my friends, or of myſelf, you may, at any time, command all the ſatisfaction I can give upon ſubjects of conſequence.

What you have heard is true, that a Committee, named by laſt Aſſembly, are to prepare an Overture concerning the method of licenſing probationers, and ſettling miniſters, which will come under the conſideration of the enſuing General Aſſembly: and it is probable the Church, notwithſtanding all the diſcouragements ſhe has met with, will not loſe ſight of theſe objects, till ſomething is done to general ſatisfaction. But this needs give no diſturbance to you, or your friends. The overture reſpecting the ſettlement of miniſters is meant to take place only where the patron's right is not exerciſed, and the power comes into the hands of the preſbytery. And though the abettors of the unlimited exerciſe of the patron's right may diſreliſh any regulation whatſoever, they have no acceſs to give oppoſition. They may foreſee that a regulation, which gives

general ſatisfaction in one caſe, may, by an eaſy tranſition, be applied to another; but this cannot juſtify their oppoſition to a law ſalutary in itſelf, and very much wanted.

The Church, you know, hath long been reproached with arbitrary proceeding; nor, for many years paſt, have her beſt members ceaſed to complain, that her judicatories have no fixed rule of conduct. Therefore it appears highly neceſſary to wipe off the reproach, by ſupplying ſo eſſential a defect; nor do I ſee what can be decently offered againſt ſo juſt a meaſure. I cannot tell what the overture will be; but believe great regard will be had to the act of Parliament 1690, and of Aſſembly 1732, and a rule formed upon them as unexceptionable as poſſible. But as I imagine it extremely difficult for any committee to frame a regulation to the general ſatisfaction, it would be wiſe to keep the overture in general terms, and leave particulars to be ſettled by the Aſſembly, aſſiſted by the judgment of the ſeveral preſbyteries, to whom I preſume it muſt be ſent before it is enacted by the Church. And I wiſh that care may be taken to expreſs, in the propoſed regulation, that high regard which the intereſt, the influence, and ſuperior judgment of gentlemen of property do moſt juſtly claim.

LETTER II.

I CAN eaſily conceive, and as eaſily account for, the attachment you mention, which many miniſters of good underſtanding, as well as the generality of lay gentlemen, have to the unlimited exerciſe of the right of preſentation. You have not

forgot

forgot what you was early taught concerning the aſſociation of ideas; and you have ſeen the doctrine fully confirmed in common life. In fact, it is as difficult, not only for ſuch as are not accuſtomed to thinking, but alſo for intelligent and judicious men, to give up a way of judging to which they have long been habituated, as to drop any other habit.

For more than half a century hath the Church been threatened with the utmoſt diſorder from the outragious claims of the populace, countenanced and cheriſhed by miniſters and others who then had conſiderable influence. To ſtem this torrent, no expedient was found comparable to the unlimited execution of the law of Patronage, to which many miniſters of undoubted integrity and cool judgment, with almoſt the whole body of the landed intereſt, had recourſe, and by it made good, though with difficulty, the ſettlement of many men of merit.

You remember, that in thoſe days it was common with ſuch as ſupported the preſentee, to lay the ſtreſs of their character upon their acting the part of dutiful and loyal ſubjects, and alſo to inſinuate and roundly aſſert, that to obſtruct the ſettlement was to act againſt the laws of our country: and, if I remember rightly, the old cant of flying in the face of the law, by offering the leaſt limitation to the exerciſe of the patron's right, or to the unconſtitutional procedure of judicatories, in conſequence of it, was ſometimes thrown out, and often employed by ſpeakers of eminence in late Aſſemblies. Nor can I recollect many inſtances, till of late, of much notice taken of a diſtinction between a right to preſent a candidate

for the miniſtry, and a right to force him upon a pariſh. Be this as it will, the doctrine, that the patron's right to give a miniſter to a pariſh, is in its own nature as abſolute, and as little liable to limitation in its exerciſe, as his right to lett ſo many acres of his eſtate to whom he chuſes, has been generally received and adopted by almoſt all the landed intereſt, by great numbers of miniſters of good underſtanding, and, however erroneous, has been made ſubſervient to many ſalutary purpoſes, and cannot be dropt from juſt in an inſtant. The object of terror which drove the laity, and many of the clergy into this ſcheme, has loſt its force; but the terror, as is natural, is not yet over.

Men of ſenſe will own, that patrons are bound, from juſtice, equity, and even good manners, to pay ſome regard to the judgment, nay, and to the inclinations of thoſe who are intereſted in the ſettlement. But if you mention any regulation productive of this good effect, not only will the patron ſtorm, but even the lay gentlemen chiefly concerned, expreſs their dread of the old object of terror, and the wanton oppoſition of the people.

Be pleaſed to aſk your friends who find fault with the overture propoſed laſt Aſſembly, whether the framers and friends of it had any intention to give the leaſt countenance to popular uſurpations? whether, after all that has been ſaid, they believe they had any ſuch deſign? and whether they ſeriouſly think there is at preſent in the Church a body of miniſters who have capacity or influence, admitting they had the inclination, to maintain what their predeceſſors called *the rights of the Chriſtian people?* And if they agree with you in this, be pleaſed to aſk, if the unlimited and arbi-

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trary exercise of the patron's right be not as formidable at present as the violent demands of the people were in former times? And will it not be allowed, that the friends of real religion must ardently wish, that in all settlements due regard shall be had to those immediately interested, and particularly, that men of property shall be treated with the regard which prudence, equity, and, I will say, good manners dictate, and that ecclesiastical courts shall give particular attention to objects of such consequence? Be pleased to offer these things to your thinking brethren, and I will tell you before hand, (for I have often made the trial), that they will entirely agree with you: but mention any regulation for preventing the abuse of the patron's right, and, like a rod long bent the other way, they will return to their former ply, and talk of the danger of breaking down the fences of law, and letting in the inundation of popular usurpations; and you must hear them with patience. But let me assure you, from my own experience, that it is not in the power of men of sense to hold out long in this way of talking; and if you keep up their attention for some time to the subject, they will agree with you in thinking, that, without infringement of any law, and without just offence to any patron, a method of settlement might be devised peaceable and satisfactory, subservient to the interests of religion, and tending to guard the Church against the most dreadful of all evils, an illiterate and immoral clergy.

LETTER

LETTER III.

I AM partly grieved, and partly aſhamed, at the opinions that paſs current amongſt us: for many miniſters of good diſcernment have not only adopted the notion that the law requires us to proceed without heſitation to the ſettlement of every preſentee,—but have loſt all notion of a right of judgment in any eccleſiaſtical judicatory, and conſider theſe, from the loweſt to the higheſt, as mere executioners of the patron's will; for which they have no ſhadow of authority that I know of, either in law or goſpel; and I ſuſpect they never once aſked themſelves how they came into ſo ſtrange an opinion. It is long ſince the laity have expreſſed their aſtoniſhment and diſpleaſure with an eccleſiaſtical judicatory for heſitating upon any grounds whatſoever, and have been in the practice of founding appeals upon this very point: but the laity are to be excuſed for miſtakes in eccleſiaſtic, as they are ready to excuſe our miſtakes in civil affairs. But who can excuſe a clergyman of capacity for being totally ignorant of the hiſtory of his country, and the conſtitution of that ſociety of which he is not only a member but an officer?

The exerciſe of the patron's right began early in the Church of Scotland; and never was held a grievance, whilſt the intereſt of all concerned was duly regarded, and controverſies about the ſettlement were ſubjected to the judgment of eccleſiaſtic courts, and according to the expreſs letter of the law, and in full conſiſtency with our conſtitution, took iſſue in the deciſion of the General Aſſembly. At that period indeed, in which the authority

thority of law was ſet aſide, and our eccleſiaſtic conſtitution ſubverted, the patron's power was made a tool of tyranny in obtruding upon congregations multitudes of clergymen not only highly unacceptable to them, but ignorant alſo, and ſcandalouſly immoral. This produced in the Scotch nation a prejudice, not againſt the abuſe only, but alſo againſt the uſe of Patronage. And at the happy æra of the reſtoration of liberty to this iſland, Patronage was regarded as an engine of ſo dangerous a nature, that the friends of our conſtitution prevailed to have it laid aſide altogether. Then a wiſe law was enacted, and ſtill ſtands unrepealed, veſting heritors and elders with the power of electing miniſters in all pariſhes; a right of judgment being at the ſame time left entire to eccleſiaſtical judicatories, and the final deciſion to the General Aſſembly. When there was a project of bringing back the abdicated family, its friends, that they might promote the purpoſes then in view, procured the law for the reſtoration of the patron's right. But they wanted either judgment or power to reſcind the act 1690, or to give the patron's right the force they intended, by adding all the ſanctions and civil penalties wherewith it is armed in England. So that, after all, we are juſt where we were: we cannot be hurt by the law; though we are, and often have been, by its abuſe and perverſion.

If the act 1690 is not abrogated, if the right of judgment remains with every preſbytery, if the right of deciſion which belongs to the Aſſembly is not annihilated, the legal power of the patron may be exerciſed without prejudiſing the parties concerned, or the rights of judgment which belong to eccleſiaſtical courts. And though care, attention,

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and ſome trouble are neceſſary to guard againſt any infringement of the patron's right, the privileges of pariſhes, and the authority of eccleſiaſtical judicatories, yet I take the liberty to affirm, it will coſt incomparably more pains and trouble, even to thoſe of the higheſt power, to ſet them aſide.

Nothing is more common than for ſuch to overſhoot the mark as are fond to find fault. You tell me that the promoters of the late overture are charged with ambitious views of enlarging their own, and the power of the church judicatories, by putting limitations upon the exerciſe of the patron's right: and I believe, indeed, they have too much ſpirit to renounce the character of judges, for the office of mere executioners of the patron's will and pleaſure.

But have not eccleſiaſtical judicatories, for about fifty years backward, enjoyed and exerciſed a power of determining arbitrarily for or againſt a patron? Did they not aſſume this power, becauſe they had no fixed law or rule upon which to form their judgment? And was not the overture intended to abridge this power? The deſign of it was to circumſcribe every eccleſiaſtical court by an invariable regulation, by which all concerned might know what they had to expect. At the ſame time, I muſt remain perſuaded that great deliberation is neceſſary in ſettling this rule: And whilſt I moſt ardently wiſh to ſee our courts ſecured from the reproach of arbitrary proceeding, I am aware that difficulties muſt attend every meaſure that may be taken to ſettle a proper regulation; difficulties that will be unſurmountable, until an underſtanding is brought about between gentlemen of property and miniſters. Therefore I hope the committee intruſted with preparing the overture

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will offer to the public, or to next Aſſembly, only what tends to reconcile all concerned, and is expreſſive of the ſpecial regard due to the ſuperior judgment and influence of men of property in every pariſh.

LETTER IV.

THough I muſt excuſe a lay-gentleman, a clergyman has no title to my indulgence, who aſſerts, that the power of judging of the qualifications of probationers, veſted in the judicatories of the Church, is a ſufficient ſecurity againſt the abuſe of the right of preſentation. It is alledged that the patron hath the faith of the Church, for his preſentee's being qualified for the care of ſouls. But you know, that it neither is, nor can be ſo. A young man comes from the philoſophy and divinity ſchools, with a certificate of his attendance and inoffenſive behaviour, and is thereby intitled, with the permiſſion of the Synod, to be taken upon trials, in order to a licence to preach the goſpel. Some preſbyteries, indeed, uſe a wiſe precaution of appointing him to viſit the ſeveral members, before any public trial is given him. But I do not remember an inſtance of any previous enquiry into the natural parts, ſolidity of temper, or pious diſpoſition of the candidate, in conſequence of his acquaintance with the members. And I well know, that if any objection of the kind were made, it would be over-ruled by a maxim, generally adopted, That, when a young man has laid out his time and money to qualify himſelf for the ſervice of the Church, he is intitled to a trial, if no exception can be made to his moral character; that is, if he can-

not be convicted of any groſs and ſcandalous vice. The ſeveral ſpecimens of a young man's literature, are highly proper: But it is well known, that by the queſtionary trials alone, a judicatory can be ſatisfied of the true extent of his theological and moral knowledge. And it is ſolely on this trial that men of judgment reſt his character in that reſpect; ſo that when the manner of our proceeding is rightly underſtood, the public have the faith of the Church for little more than a competency of knowledge, with an inoffenſive behaviour in thoſe who are licenſed to preach the goſpel. I leave it then with every man of ſenſe to judge, whether he would not wiſh to have another and a better trial of the perſon to whom he would commit the care of ſouls. Would any merchant truſt the management of his buſineſs to a young man, merely upon an atteſtation of his being an accountant tolerably qualified to keep books, and that he never was convicted of any groſs remiſſneſs, pilfering, or fraud? Would a man of fortune commit the care of his eſtate to one of this character, if he had it in his power to make a ſafer and a wiſer choice? Every one would chuſe ſome trial, by practice, of the perſon to whom they commit an important charge; and why ſhould we act with leſs care and judgment in our ſpiritual, than our temporal concerns?

The term *Probationer*, which I have taken the liberty to uſe, is now become almoſt obſolete, but paſſed current with our fathers, handed down to them, ſo far as I know, from the erection of our eccleſiaſtical eſtabliſhment, and had a juſt and ſignificant meaning. By taking a ſtudent from the ſchools, or, from an obſcure retreat among his friends, and placing him in the eye of the world,

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and introducing him into a variety of company, he undergoes a new trial, more uſeful, more neceſſary, and more ſevere than that by which he procured his licence: a trial, not only of his aptneſs to teach, and powers of perſuaſion, but of his piety, prudence, affability, gravity of deportment, and ſolidity of temper; qualifications no leſs eſſential to a man fit to be intruſted with the care of ſouls, than the knowledge of logic, ethics, and ſcholaſtic theology, how neceſſary ſoever that knowledge may be.

I am told, that in ſome of the foreign proteſtant churches, all ſtudents in divinity, after a certain ſhort term, are capable of being authoriſed, by any miniſter of the goſpel, to preach in his pulpit, and in his preſence, before they have obtained a public licence; and I truly wiſh that ſuch a practice prevailed among us, not only for the ſake of giving exerciſe in, and what I may call, an apprenticeſhip to the buſineſs of preaching, but alſo for relieving us from the neceſſity we are often under of veſting mere ſcholars with a public character. And I heartily wiſh the committee who have this ſubject under conſideration would think of ſuch an expedient, or of poſtponing the licence, or, at leaſt, every eſſential ſolemnity thereof, until the candidate hath not only given ſome public ſpecimen of his abilities, but hath alſo undergone the probationary trials above mentioned. For, to ſpeak freely, I ſhould truſt more to the character a young man acquires with the world, than to what he may obtain with ſelect judges. At leaſt, I ſhall be extremely ſorry if any preacher is forced upon a pariſh, before thoſe who are principally concerned and the moſt capable judges in the congregation, have ac-

ceſs to be ſatisfied as to thoſe qualifications, which always are the reſult of the before-named probationary trials. And if, without invading any man's civil right, room for judging can be procured to thoſe moſt intereſted and moſt capable, I wiſh it moſt ardently.

LETTER V.

IT was the opinion of ſome perſons of diſcernment, that the violent meaſures adopted of late were too ſoon checked; becauſe, if they had been ſuffered to go on for a few years longer, they would have raiſed a ſpirit which would not only have given them effectual check, but have diſcouraged like attempts for the future. This, I own, was abundantly plauſible, but dangerous and diſagreeable; I rather wiſh, however, that an underſtanding may be brought about between the patron and thoſe concerned in the ſettlement, that might be to the ſatisfaction of both, and prevent diſagreeable conſequences: And as theſe meaſures ſhould be my choice, ſo I cannot doubt of their being practicable.

Do you think it an act of extraordinary condeſcenſion in the patron, or in him who applies to the crown for a preſentation, to give previous notice to the heritors, and aſk their concurrence, if they have no juſt exception to the character of the perſon propoſed? And if they ſhould object to his choice, not wantonly or capriciouſly, but from defects generally allowed to be in his character; would it be any extraordinary act of ſelf-denial in him who is poſſeſſed, or has acceſs to the poſſeſſion of the legal right, to forbear the exerciſe of this power, till either

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the heritors are ſatisfied of their miſtake, or he himſelf is convinced of his having made an improper choice? Upon the ſuppoſition, that, on due enquiry, the heritors are convinced of their miſtake, and find the intended preſentee hath been miſrepreſented; would it be a matter of great difficulty with them, to gain the concurrence of ſuch a number of elders as might procure a cordial call, and harmony among all concerned? Suppoſing, on the other hand, that the heritors, after enquiry, have ſufficient grounds for their averſion to the perſon offered by the patron, would he not find himſelf obliged, by the laws of equity, friendſhip, and even good manners, to make another choice? a choice more to the advantage of the public, and, I muſt think, of the perſon firſt intended. For there is no difficulty in believing, that a young man may, through negligence or raſhneſs, forfeit his character with the world, and thereby diſappoint himſelf of the ſettlement intended for him; and by that very diſappointment, be put upon ſuch a behaviour as will redound more to his credit and intereſt, than a precipitate ſettlement with a diſputed character. You will ſay, this method is laborious. But is there in it any labour that ought not to be ſubmtted to by men of humanity, not to add Chriſtians? Can any good deſign be compaſſed without trouble? Or is this method attended with more diſagreeable conſequences than have accompanied many ſettlements that occur in almoſt every page of the late records of this Church?

You tell me, what I have been often told, and what I find makes a great impreſſion upon the minds of many, but not the leaſt impreſſion upon

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my mind, that if the patron is not gratified, and all concerned do not ſubmit to his ſovereign will and pleaſure, he can retain the ſtipend. Very true. But what does he gain by that? If the heritors act the part becoming gentlemen and good Chriſtians, the patron renders himſelf compleatly odious. And if the heritors are men of ſpirit, they will force him to make application of every ſixpence of that ſtipend, not according to his ſovereign will and pleaſure, but to pious uſes within the pariſh, at ſight of the preſbytery.

It is true that the pariſh, if they are not capable of ſupplying themſelves at their own expence, ly under an interdict. But this method of violence, practiſed of old by the Roman Pontiff with ſo much ſucceſs, will not proſper in the hands of any Proteſtant patron, let his character in other reſpects be ever ſo high.

LETTER VI.

I SEE the ſame impatience to proceed without delay to a particular regulation, which poſſeſſes our friends here, prevails alſo with thoſe of your acquaintance. To paſs over what I have ſo often mentioned before, do you think the church and nation are ripe for ſettling this regulation? We are all diſpoſed to have due regard paid to the heritors of every pariſh. But do you think the heritors themſelves are anxious for any ſuch thing? I really do not. I queſtion much, if the bulk of men of property are not ſtill as firmly attach'd to the abſolute unlimited exerciſe of the patron's right, as ever. There are, as you alledge, ſeveral inſtances

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of heritors who are highly offended with being overlooked in the ſettlement of their pariſh by the patron, and there probably will be more, as the law of patronage has free courſe, till it either produces ſome convulſion, or is eſtabliſhed by immemorial practice. But I ſee no forwardneſs in the landed intereſt to enter into any meaſures for bringing about ſettlements, in a comfortable and harmonious manner. They ſeem to have thought of no medium between the arbitrary exerciſe of the patron's right, and the arbitrary claims of the people. From the known characters and avowed ſentiments of the friends of the Overture, it is abundantly evident that they never meant to countenance popular uſurpation. You can aſſure them that there is not any number of miniſters now in the church willing to favour theſe claims, and that they have no encouragement from our eccleſiaſtical conſtitution. But you cannot quiet their fears. A pannic, you know, works long after the object is vaniſhed. There are many gentlemen who will eaſily fall in with what is juſt and rational, and for the public intereſt: but there are many more, who will think and talk as they have been accuſtomed to do. Give gentlemen of property time, and they will come to an underſtanding with thoſe who aim at promoting the public intereſt, and the peace of the country, but they muſt not be hurried.

You think that a particular regulation may produce the wiſh'd-for union; and I apprehend it may have a contrary effect. Before gentlemen are agreed with us in the main deſign, they will be diſpoſed to except to every article in any regulation we can offer; but after they are ſatisfied in the capital point, they

they will either paſs over theſe exceptions, or aſſiſt us by their judgment in preventing or removing them.

Shall I obſerve to you, that it is impoſſible to deviſe meaſures, or plan a form of government, which ſhall guard againſt all inconveniencies, or prevent all poſſible grounds of diſpute? I mention this, becauſe in talking over theſe ſubjects, there are who take the liberty of objecting to the wiſeſt and beſt regulations every thing that may poſſibly happen in certain ſingular circumſtances. Is there any ground to fear that a body of gentlemen, in conjunction with a body of elders, would, as the populace were wont to do, claim a right of arbitrarily ſetting aſide the preſentee, and demanding the ſettlement of whomſoever they think fit to name? or, if any ſuch thing ſhould happen, do you think the judicatories of the Church would find themſelves under any obligation to give a ſanction to ſuch arbitrary, illegal, and unjuſt proceedings? In ſuch a caſe, I confeſs the patron would be juſtified by all impartial people in with holding the ſtipend.

If, upon the other hand, it is agreed, that the patron has no right to demand the admiſſion of his preſentee, without regard to any exceptions that may be made to his character and qualifications by thoſe intereſted in the ſettlement, and that neither the pariſh nor preſbytery are under any obligation from civil or eccleſiaſtical law to ſubmit to ſuch arbitrary, and I ſcruple not to ſay, tyrannical proceeding, would there be any difficulty in framing a regulation, by which inferior judicatories might proceed in ſuch caſes, ſo as to be juſtified, in their deciſions, not only to their ſuperiors, but alſo to the world?

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I am aware it will be objected, that in ſuch caſes thoſe concerned in the ſettlement have no other privilege than to give a libel upon life or doctrine. But when you conſider that the exception may be to the piety, prudence, and even good ſenſe of the preſentee, you muſt allow the futility of this objection.

As theſe eſſential defects are ſcarcely capable of ſtrict proofs, though they may be apparent and univerſally acknowledged, if any regard is due to the apoſtolic rule, that a candidate *ought to be of good report*, I ſhould think it a ſufficient ground of demur if his not being of *good report* is properly verified.

I know that church judicatories ought not to be allowed that unlimited power which they have exerciſed for a long period, of arbitrarily proceeding, or refuſing to proceed to ſettle, according to the judgment they are pleaſed to form of the call, concurrence, or invitation given the preſentee; and that an explicit or particular law is neceſſary to prevent all complaints on this ſubject. But when a diſpoſition to ſettle this law takes place in the Church, and becomes general, it will create no difficulty to frame it. May it not be taken for granted, that a body of gentlemen will behave with greater decorum and deference to the law than the vulgar, and that in return the patron will pay them the regard due to their ſtation and influence? Will not gentlemen treat elders, though of a rank inferior to themſelves, with that reſpect which their office demands; and, in return, will not they, with many others, chearfully concur in calling a preacher of good character? In fine, may not an eccleſiaſtical law be framed for executing ſettle

ments ſo as that all due regard be ſhown to the judgment and choice of thoſe concerned? Why may not that number and deſignation of electors and callers which give reaſonable ground to hope for ſucceſs to the preſentee, be thereby fixed and defined; and upon finding which the preſbytery ſhall be bound to proceed, and be approven or cenſured by their ſuperiors, as to this they have or have not conformed? You tell me that heritors in moſt pariſhes will be outvoted by elders; and therefore, if the elders are put upon a footing with the heritors, the ſettlement will proceed upon their conſent and approbation. But cannot this be eaſily prevented, by making the voices of only a number of the ſenior elders equal to that of the heritors of indiſpenſible neceſſity? Should you ſay, that ſome heritors will not deign to put themſelves at all upon a footing with an elder; I have no better anſwer, than that theſe gentlemen do not truly underſtand their own importance. For by a prudent and diſcreet treatment of their inferiors, they will bring about an agreeable ſettlement; and by a contrary behaviour may always look for that oppoſition and trouble which may be expected from men of ſpirit.

That a diſtinction ought to be made between men of rank and fortune and little feuars will be allowed by all; and perhaps there may be ſome difficulty in ſettling the *quantum* of property which may intitle feuars to rank with heritors. But this difficulty cannot be great. There is a ſtandard already fixed by law in civil concerns of great conſequence; and, by a juſt regard to it, and to other things that ought to come under conſideration, a rule may be found, which would appear equitable to all impartial judges.

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To give ſatisfaction however to all concerned, it is neceſſary to have their ſentiments upon the ſubject; and theſe can be eaſily collected, by tranſmitting an overture to the ſeveral preſbyteries thereupon. If the thoughts of men of property are once turned to the ſubject, and it becomes a general topic of converſation, we ſhall know better what regulations will be leaſt liable to exception, and contribute moſt effectually to the public intereſt, and peace of the country, than by any previous conjectures we can make before hand.

If indeed what you alledge be true, I own there is reaſon to deſpair of ſucceſs. If gentlemen have adopted the prejudices which you mention againſt us, and believe us to be a ſet of wild fanatical men, labouring for popularity, and acting under the influence of enthuſiaſtical principles, moſt undoubtedly no regard will be had to any deſign we can propoſe to the public.

But is it poſſible that gentlemen who know any thing of the hiſtory of the Church for forty years paſt, can think ſo unjuſtly of the framers and friends of the Overture? To thoſe who will pleaſe to recollect what has paſſed in our Aſſemblies ſince the year 1730, it will occur, that we have been directed by the ſentiments and ſpirit of Principal *Hamilton*, whoſe ſcholars many of us were, or of thoſe who formed themſelves upon the plan of this eminent friend of religion and learning. He taught us moderation and a liberal manner of thinking upon all ſubjects. His friends and favourites were—not the ſmarts and clever fellows—not the flimſy ſuperficial gentlemen, who having pick'd up ſomewhat of the Engliſh language, can read another man's ſermon with a becoming grace,

—but ſuch as had drawn their knowledge from the ſources of ancient learning, and the Scriptures in the original languages, and who, by a gravity and decorum of behaviour, did recommend the religion they taught. Far from treating thoſe who oppoſed him with inſolent contempt, incapable of reproachful language, or the mean and illiberal arts of detraction, this good man gained even his adverſaries, by the ſweetneſs of his behaviour, the moderation of his principles, and the mildneſs of his adminiſtration. Though ſuperior to moſt of his order in point of capacity and erudition, he treated his inferiors with no forbidding airs, nor with that inſolence which is the diagnoſtic of vulgar ſouls, but with an indulgence, forbearance, and gentleneſs, which indicate both an excellence of underſtanding and generoſity of heart.

Our diviſions, which at that time were great, he laboured to heal, and to mitigate the ſeverity of the law of patronage, by the ſalutary rule which was enacted *anno* 1732, and founded upon the civil ſtatute of 1690. In this deſign he was ſupported by the Marquis of Lothian, then his Majeſty's commiſſioner to the General Aſſembly. This noble perſon did not think himſelf obliged by his office to enforce a grievous law enacted with hoſtile intention, and to which no diſintereſted friend to our conſtitution was at that time reconciled. Though he could not deſcend to receive inſtructions, enter into cabals, far leſs to adopt perſonal prejudices, or employ his intereſt to gratify even the moſt diſtinguiſhed, he eſpouſed the moderate meaſure then deviſed, and reconciled the civil adminiſtration to what ſo manifeſtly tended to quiet the minds of all concerned.

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Theſe were the principles in which we were educated, and upon theſe we have ever ſince acted, ſo far as the ſtate of the Church would permit us. I have formerly ſhowed the neceſſity under which we were brought for a time of repelling the uſurpations of the people, by means of the law of Patronage: but now when the unjuſt claims of the people are no longer to be apprehended, and a ſyſtem of church-government, ſubverſive of liberty, injurious to religion and learning, and big with almoſt every calamity that can threaten the Church, is adopted, we are found upon the ſame ground on which we have always ſtood; and here call upon all men of ſpirit to ſupport an intereſt, dear to our fathers, and deſired by all men of moderation and ſoundneſs of mind.

LETTER VII.

I AM ſorry to find the irreligion of men of rank ſo often objected to the meaſures I propoſe, without having it in my power to make the proper reply. But to rules of government, civil or eccleſiaſtical, that reach beyond the preſent age, no objections are good, which are founded not in nature, but upon the mode of the times. That men of ſenſe and probity, of liberal minds and cultivated underſtandings, ſhould treat with neglect, and alſo with contempt, bigotry, ſuperſtition, enthuſiaſm, ſcholaſtic opinions and reaſonings, is natural; but that they ſhould treat religion in this manner, however much a temporary mode, is at the ſame time ſo violent a force put upon the laws of human nature as cannot be of long continuance. Debauchees, gameſters,

gameſters, and ſharpers of all kinds are, in all ages, in a ſtated oppoſition to religion, becauſe religion is in oppoſition to them: but if the clergy will do juſtice to the ſubject, and to their own character, they may ſoon promiſe themſelves the friendſhip and aid of men of ſenſe and probity, of all, even the higheſt ranks, ſo far as conſiſts with the temptations peculiar to their ſeveral ſtations. A thought however comes acroſs my mind, which, I muſt own, mightily diſturbs me: The Auguſtan age was the moſt cultivated, and fartheſt advanced in every liberal improvement; and the Auguſtan age was the moſt impious, and alſo the forerunner of the downfall and loweſt debaſement of the greateſt, the wiſeſt, and the braveſt people mentioned in hiſtory.——But let us mind our duty, and leave events to God.

I acknowledge it hath for ſome conſiderable time paſt been the mode to profeſs infidelity, ſcepticiſm, or a polite neglect, if not contempt, of religious inſtitutions. But pleaſe obſerve, In the beſt company, and thoſe who have enjoyed the benefit of a liberal education, you never meet with theſe outrages upon things ſacred, which are yet too common among the lower gentry, and are indeed the characteriſtic of the wou'd-be gentlemen. Pleaſe alſo obſerve, that men of extenſive views and ſound underſtanding begin to own, that the illiberal freedoms uſed with religion and its offices have been carried by much too far: and though ſome of them have not the firmneſs to ſtem the tide of the times, yet they plainly appear to be well affected to religion.

I allow that gentlemen of property do not intereſt themſelves in the concerns of religion ſo much

as

as they ought: and what claſs of men does? But giving you the whole force of your objection, that they are not as ſerious about religion as others, what do you infer from it? That it is a matter indifferent to them who is to be their pariſh miniſter. I deny the conſequence; becauſe it is a contradiction to all the obſervations I have made upon that order of men: for however they themſelves may ſtand affected to religion, I have long known them deſirous of having a good man for their miniſter.

I was truly aſhamed to hear ſpeakers in our General Aſſembly, from whom better things might be expected, confine the regard which lay-gentlemen may be ſuppoſed to have for their miniſters, to their being men of converſation, and poſſeſſed of the other ſuperficial accompliſhments which fit them for what is called good company. It is true, that men of ſenſe and breeding do with reaſon put a high value upon theſe accompliſhments in clergymen, and you may believe that ſuch will generally be their choice: but whoever thinks that they confine the idea of a miniſter's merit ſolely to theſe accompliſhments, is either a man of a ſhallow underſtanding, or little acquainted with the real ſentiments of thoſe we ſpeak of. I have ſpent a conſiderable length of life in pretty intimate ſociety with lay gentlemen, not inattentive to their ſentiments and manners, and will do them the juſtice to declare, that, a few exceptions being made, they always eſteem a miniſter poſſeſſed of the eſſentials of his character, and hold a clergyman of merely ſuperficial accompliſhments in greateſt contempt. I well remember inſtances of a whole body of gentlemen paying high reverence to miniſters

niſters of diſtinguiſhed piety, now with God, though deſtitute of theſe ſlimſy talents which comprehend the ſum total of merit poſſeſſed by too many modern pretenders to the ſacred character. I well know the ſovereign contempt in which they hold the ſmarts and pretty fellows among the clergy, who appear deſtitute of the ſpirit of their profeſſion; and will aver it to be a ſerious truth, worthy the attention of every miniſter, and of every candidate for the holy miniſtry, that it is not in the power of a man of honour to eſteem a licentious clergyman, or not to reverence and love him who acts up to his character. To a man of honour, if I am not quite miſtaken, want of piety in a clergyman is the ſame thing as want of courage in a ſoldier, or want of chaſtity in a lady.

You tell me, that my friends judged ill in expecting that men of property would hold meetings, or even a regular correſpondence with judicatories of the Church, in order to the perfecting their Overture. Perhaps they did. But do we not often meet with ſuch diſappointments from a body of miniſters, and even of theſe the beſt affected? Are lay-gentlemen punctual and aſſiduous in holding meetings, and maintaining a correſpondence about ſecular concerns, in which they are deeply intereſted? I freely own to you, that it is extremely difficult to unite any claſs of men in the execution of any deſign, however uſeful or neceſſary. But I muſt tell you, at the ſame time, that I always made little account of that part of the Overture, and even thought it unneceſſary. For it was, and ſtill is my opinion, that, if proper care had been taken to give full ſatisfaction to the landed

landed intereſt of our real intention, and how much it concerned them to concur with us in it, the correſpondence, or meetings, or whatever elſe might be neceſſary to our deſign, would follow of courſe.

You will not, I am afraid, lay great ſtreſs upon all I have ſaid about the zeal of lay gentlemen to have themſelves and their people provided with miniſters of a pious and liberal turn of mind. Allow me therefore to mention ſome other conſiderations, which you will admit to be of weight. It is long ſince I had occaſion to hear men of parts and conſiderable fortune expreſs a real dread of the moſt dreadful of all evils to Scotchmen, an ariſtocratical power, founded, as they ſaid, upon the irreſiſtible influence of a few great families upon the elections, by means of the practice of ſplitting ſuperiorities, and of engroſſing and entailing a prodigious ſhare of the property of the nation. I doubt not the effort lately made to correct the laſt of theſe evils flowed from this very dread; and it is generally believed, that palpable bad conſequences of the other evil complained of, will produce ſome law to deſtroy or amend it.

Theſe are ſubjects out of our ſphere, and ought to be left to thoſe whom they do concern. But allow me to tell you, that as ſoon as a ſpirit ariſeth among gentlemen to aſſert and ſecure their independence, the arbitrary exerciſe of the right of preſentation will meet with due attention. For how contemptible ſoever our livings in certain lights may appear, a right of diſpoſing of them in the ſame manner in which the office of an exciſe-man is beſtowed, will be found no contemptible engine of power, if, as I am informed, above ſeven hundred are in the hands of the crown and nobility,

and but a very ſmall proportion in the hands of gentlemen.

It is ſaid indeed that men of property, at leaſt they who have influence in elections, may, upon an application to their repreſentative, obtain a preſentation from the crown. But whether men of ſpirit will put up with being entirely overlooked, where they are directly intereſted, and content themſelves with this *ſuccedaneum*, may be very much queſtioned: for by it you ſee they have only the privilege of petitioning a favour, which may be granted or refuſed according to the endleſs variations of the political balance.

I am informed, that the laws of England ſecure the ſettlement of the preſentee, as well as the patron's right of preſenting; but am aſſured, that the laws of Scotland convey no right to the patron but that of preſenting, and give him no legal ſecurity for forcing his preſentee upon the pariſh, but what he may derive from an odious, and I believe an improper and imprudent action. In England therefore thoſe intereſted, and beſt intitled to the regard of the patron, have nothing to aſk but in the way of mere favour; but in Scotland gentlemen of property may claim a title to juſt, equitable, and civil treatment, as due them by the laws of their country. As popular uſurpations then are now no longer to be apprehended, if they would plead this their juſt right, could they be denied by any patron of character? And if they do it not ſoon, ſhall they not have the arbitrary exerciſe of the patron's power, with all its terrible conſequences, eſtabliſhed by an authority, little if at all inferior to that of law, I mean invariable practice?

LETTER VIII.

YOU are much alarmed with the influence of the miniſtry, and not without reaſon: but do you really think that a wiſe miniſtry could employ their Maſter's authority in meaſures that muſt render a ſubject patron completely odious? I am not a ſtranger to the liberties taken with the miniſtry by thoſe at a diſtance. We have lately ſeen mad meaſures proſecuted, upon the preſumption that they would be reliſhed, countenanced, and ſupported by the miniſtry. The metropolis was decoyed and forced into ſuch as were highly diſagreeable and offenſive. The preſbytery of Edinburgh was groſsly inſulted. The ſettlement of a preſentee of doubtful character, and unacceptable to all the reſiding heritors, and the whole body of the people, was in another caſe peremptorily and wantonly enjoined. A preſentation was actually obtained from the crown for another preſentee, in oppoſition to the inclination of a numerous and reſpectable congregation, veſted with an undoubted right to preſent, of which they had been in poſſeſſion time immemorial, and could not only withdraw their attendance from the preſentee, but alſo one half of his ſtipend, to which he had no other right than by their ſubſcription. The viſible effect of theſe proceedings upon the minds of men was a ſullen diſguſt, not with the adminiſtration only, but with government itſelf. Such meaſures were entered into, and carried on with a high hand, under colour of authority from the miniſter. But did the miniſtry, or their under agents, gain any thing by ſchemes ſo arbitrary and unprecedented? You

inſinuate, that theſe acts of violence would not have raiſed the ſpirit of the Church againſt them, if they had not been accompanied with other proceedings, which had a viſible tendency to diſcourage religion and countenance immorality. And I acknowledge, that if they had not deprived the caſtle of Edinburgh of the ordinances of the goſpel, to gratify a friend at a diſtance with about forty pounds a year;—if they had not employed all their art and influence to acquit an old miniſter guilty of fornication, and other illicit and inhuman practices;—if they had not with ſucceſs and triumph procured the acquital of another miniſter, convicted of the ſame groſs vice, to the ſatisfaction of all his judges, attended with circumſtances of the greateſt cruelty, merely for the want of what they called *legal evidence*, or the evidence defined by civil law;—if they had not in this manner trampled upon the laws of JESUS CHRIST, at the ſame time that they inſulted their brethren and fellow citizens, I confeſs they would not have brought miniſters and elders from the remote parts of the nation to have oppoſed their meaſures, and ſet aſide their power. But pleaſe to obſerve, that when a ſpirit of tyranny and of irreligion, which I ſeriouſly believe have a natural connection, is employed againſt this Church, it will put her members upon exerting their utmoſt force. And though I will not enter into any queſtion with you, whether the ſtrength of the church of Scotland is at preſent greater or leſs than it was under the family of Stuart, I affirm it is ſufficient to diſcourage any wiſe miniſtry from puſhing things to extremity.

It is true that the officers of the crown, with all dependants

dependants and expectants, employed their ability and influence againſt the ſucceſs of the Overture, and got it laid aſide, and perhaps thought themſelves bound in duty to act this part; becauſe, it is well known, that the utmoſt pains were taken to impreſs men with the apprehenſions, that it was levelled at the authority of the law—at the legal rights of the patrons—and would in its conſequences give free ſcope to the arbitrary claims of the people, to the utter deſtruction of peace and good order. Through the diligence of one ſide, and negligence of the other, multitudes were full of theſe apprehenſions. But when the truth is known, theſe miſrepreſentations will vaniſh; men of all ranks will ſee the whole matter in another and oppoſite light,—and the officers of the crown, with the whole tribe of dependants and expectants, will act a different part.

As we were miſrepreſented at home, ſo falſe and injurious repreſentations have been made of our principles and conduct above. You remember that in Charles the Firſt's reign falſe accounts were given of the ſtate of things to the then prime miniſter, by a few pragmatic ambitious men, who aſſured him of ſucceſs, if he would go on ſteadily and vigorouſly in his attempts upon the conſtitution of the church of Scotland; and you know the conſequences. I will not affirm, but am inclinable to believe, what I hear of ſome ambitious clergymen among ourſelves, who, fond of unlimited power, aſſured thoſe of the miniſtry with whom they were connected, that with their countenance and aid they would annihilate all oppoſition to the arbitrary exerciſe of the patron's right, and reduce the church of Scotland in that reſpect to the ſame

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ſtate with the church of England. And I have good reaſon to believe, that if they had long been tenanced and ſupported, they would have either accompliſhed their deſign, or involved the country in confuſion and diſorders, attended with moſt fatal conſequences.

People may talk of the tame ſubmiſſive ſpirit of the laity, of the feebleneſs of the clergy, and the little proſpect there is of raiſing a ſpirit of patriotiſm in this part of the iſland. But you muſt not think me arrogant if I aſſert dogmatically, that it is not fit, and it will not be found wiſe or prudent for any miniſter to exceed the bounds of law, or invade the civil or eccleſiaſtical rights of any body of people in this nation. I am no politician, but have ſome ſmall pretenſions to philoſophy, and in that character affirm, that the ſpirit of faction may do what pure patriotiſm will not; nay, the civil or ſacred rights of no nation, in no age of the world, were ever recovered, maintained, or preſerved by the pure ſpirit of patriotiſm. And having got into the philoſophic ſtrain, allow me to obſerve farther, that the human ſpecies could neither have been preſerved, nor could we be provided in commodious or comfortable dwellings, and ſcarce in food and cloathing, by principles purely rational, religious, or moral; and that all the great and uſeful works of men are produced by the aid of principles which they do not attend to, or are not willing to acknowledge. It is not eaſy to bear the idle talk of narrow-minded politicians; as for me, I fall into theſe reflections by what I ſaw. At a critical time, which you well remember, I ſaw men of reſpectable, venerable, and honourable characters, eſpouſe the intereſt of the ſeceding miniſters, and

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by their eloquence, and the weight of their authority, put it out of the power of the General Aſſembly to inflict the cenſure upon them which they were perſuaded they had fully incurred, and which they were determined to inflict. And this you may believe they did, not from any attachment to the intereſt of the Seceſſion, nor from any biaſs to their peculiar doctrines, nor even from any tenderneſs to their perſons, but from a principle that was then prevalent, which no body miſtook, and which went by the name of *Patriotiſm*. From what I ſaw at that time, and know otherwiſe, I ſhall live and die in the belief, that it will never be wiſe in any miniſtry to tamper with, far leſs to attempt a barefaced invaſion of our civil or eccleſiaſtical rights: for though they ſhould go on with ſucceſs for a ſeaſon, there are times in which all ſuch attempts recoil upon them with a vengeance.

LETTER IX.

YOU tell me, that many of your brethren ſcruple not to ſay, that by all this zeal and buſtle, the friends of the Overture mean nothing elſe than the levelling a diſtinguiſhed clergyman, and transferring his power to themſelves. And no wonder they ſhould. That gentleman makes no ceremony of giving himſelf this air of importance in our General Aſſemblies, and may have thoſe in different corners of the church who echo what he ſays. But this is altogether groundleſs. For no miniſter could have entered upon the exerciſe of power with greater advantages than he did: Scarce were there any who begrudged him the truſt

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put into his hands: And if you paſs over his youth, inexperience, and too great intimacy with clergymen and others of not the moſt reſpectable characters, you ſhall not recollect a ſingle objection to his taking the lead in eccleſiaſtical affairs. Had he then diſcountenanced levity and licentiouſneſs, and given proper encouragement to young clergymen diſtinguiſhed by their piety and literature, he would have laid a foundation of power in the minds of men, too firm to be ſhaken by any combination. By minding himſelf and his own connections, however, and neglecting the intereſts of religion and learning, we were indeed diſappointed. But I appeal to you, and to all honeſt men, who know any thing of our affairs, if we once muttered till he gave his countenance and aid to an old fornicator. Indeed when we were told that the eloquence and influence of the whole party were employed to bring off a miniſter, who had not only lived in fornication, but uſed wicked means of forcing an abortion, and that the honour of the church was ſaved in that inſtance, chiefly by the eloquence and authority of two honourable lay-members; then we were much diſpleaſed, and did complain. But this you will remember, went off; and they might have retrieved their characters, if they had thought fit to correct their meaſures. All theſe are known facts; and do you wonder that the ſpirit of the church ſhould riſe, when in place of reformation a new ſcene opened upon us of a moſt frightful appearance? A fixed reſolution ſeemed to be taken, to make the ſacred office paſs current by the mere will and pleaſure of men in power, like the office of the meaneſt exciſeman; and at the ſame time to baffle all attempts to purge the church of corrupt

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ſcandalous members, by inſiſting upon the neceſſity of what is called LEGAL EVIDENCE. Whether the evidence deemed *legal*, is determined by ſtatute, or by the authority of eminent civilians, or is to be deduced by reaſoning from ſtatutes and deciſions, I know not, and believe that moſt members of eccleſiaſtical judicatories know as little as I do; or have any notion of this kind of evidence which can found a ſentence affecting a man in his property or character.

It is well known, we are bound by our office "to reaſon, judge, and vote, according to the "word of God and rules of this church:" And till of late, I never heard of any other rule of judgment inſiſted upon in an eccleſiaſtical judicatory; but am not a little concerned, to find not a few of our younger brethren miſled and abuſed by terms they do not underſtand. I remember it was always a maxim in our church courts, that we ought to proceed "*ſecundum allegata et probata*," that is, not by ſuſpicious conjectures, or even by the moſt certain information we might have in private, but by that evidence which lay in the proceſs, ſubjected to the judgment of the court, and to the review of ſuperior judicatories where that was competent; or to the whole world, where it was not. If the cauſe of a certain delinquent had been tried by theſe rules, he muſt have been condemned by a great majority. It was pled before the commiſſion full ſeven hours, and the ſentence adjourned till next day: at the riſing of the commiſſion, after hearing the cauſe, and at ſitting down next day, after thinking upon it, I was perſuaded, as many others were, that it was impoſſible for him to eſcape. But, to my great ſur-

priſe, long, learned, and laboured ſpeeches were made, not only by the gentlemen of the law, but by divines, founded on the nature of evidence, and of legal evidence, which had a tendency, nay ſeemed contrived to weaken, and indeed to ſet aſide the whole proof. A clergyman of great eminence and perſpicuity, who had made the nature of evidence his ſtudy, ſtood up and ſaid, that he was no Civilian, therefore would not take upon him to fix the idea of legal evidence; but affirmed, and to the ſatisfaction of all preſent demonſtrated, that we had before us the ſtrongeſt of all evidence, that, *viz.* which, duly attended to, muſt convey conviction to every judge of common underſtanding. This had effect, but not that which in reaſon and juſtice might have been expected. Things do not make the ſame impreſſion at a diſtance as on the ſpot; and therefore you cannot form a juſt idea of the alarm given to the friends of religion and virtue, by witneſſing the abſolution of a miniſter who had been depoſed by his preſbytery and ſynod, and convicted of fornication in the judgment (I take upon me to ſay) of almoſt every member of the commiſſion; and all by the flimſy artifice, that though there was a proof, there was a want of legal evidence, that is, of the evidence which would be deemed legal by Civilians, but of which clergymen, and, I preſume, country gentlemen, were either ignorant, or had not that knowledge which is neceſſary to found a ſentence of abſolution or condemnation.

I am credibly informed that civil judges often found ſentences of the greateſt importance, and that criminal courts put men to death, upon leſs evidence than lay before us. Be that as it will, I am no leſs aſhamed than grieved to ſee eccleſiaſtic

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judges miſled in deciſions of the laſt conſequence, by terms of law which they do not underſtand, and with which they have no concern.

I need not repeat what I mentioned before, and what is well known to the church and nation, that wanton, unneceſſary, and inſolent execution of the law of patronage, to the diſcontent and high indignation of the moſt numerous and reſpectable congregations in this church, to which alſo I was witneſs.

I ſhall always avoid imputing deſigns to men, which their actions do not juſtify and even make neceſſary. But, evil deſigns apart, it behoved me to concur with many of my brethren in judging that our whole diſcipline, reſpecting ourſelves, and alſo our eccleſiaſtical conſtitution, was in the utmoſt danger; and that if a proper remedy were not ſpeedily applied, we ſhould ſoon be burdened with two of the greateſt grievances under which our neighbouring church labours.

When we read the writings of Engliſh divines, ſo full of piety and good ſenſe, and when we are told of many eccleſiaſtics, not only of the higheſt rank, but of inferior ſtation, ſo remarkable for amiable character, and high accompliſhments; we are ſurpriſed at the progreſs of infidelity among the great, and at the ignorance and licentiouſneſs of the vulgar. But we hear of no other reaſon aſſigned for theſe dreadful evils, than the ſcandalous immorality of a number of the lower clergy. And that again is conſtantly imputed to the abſolute power of the patron in obtruding, and the want of power in the biſhops of depriving the unworthy. Now I affirm that if the church of Scotland is brought to the ſame paſs, we are, I do not ſay in as bad, but in much worſe circumſtances than the church of England. The

clergy there have advantages we cannot pretend to. The miniſters of the church of Scotland have nothing to truſt but the goodneſs of their character, and when that is gone, they become more vile than the dirt in the ſtreets. The rank and dignity of Engliſh clergymen however will always preſerve a face of decency; and the many illuſtrious patterns of piety and learning, which from time to time appear amongſt them, will contribute much to maintain ſome ſenſe of religion. The biſhops themſelves, who have long been eminent for knowledge and virtue, have the gift of many eccleſiaſtical benefices; and it is certain, that ſeveral clergymen in the church, who have done the higheſt honour to their profeſſion, have been raiſed and promoted by pious biſhops. Many patronages too are diſpoſed of by the Lord Chancellor, who muſt be diſtinguiſhed not by his intellectual merit only, but alſo by his moral and religious character. How many ſhining lights have lately blazed forth in the church of England, through the attention given to this ſubject by a late chancellor, whoſe name will ever be held in the higheſt veneration! But if the utmoſt regard is not paid to the moral character and other neceſſary accompliſhments of miniſters in Scotland at their admiſſion, and if proper care is not taken to check licentiouſneſs as ſoon as it appears, I moſt ſeriouſly believe that in an age or two the clergy will become a public nuiſance. I cannot figure to myſelf a more opprobrious object, than a body of men acting in the name of the Lord Jesus Christ, without the gravity and literature, dignity and piety eſſential to the office; and let me add a circumſtance worthy your attention, it is an object to

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which Scotchmen are not accuſtomed, and which they will not bear.

I have as high an opinion of our eccleſiaſtical conſtitution as any of my brethren; but if the ſpirit of the conſtitution is gone, ſhall put little value upon the form of it. To what I have ſaid in a former letter, about our power of licenſing probationers, I will only add, that church courts have not the one half of that attention to the qualifications of candidates, who are ſoon to remove to diſtant parts, that they have to thoſe candidates who have a proſpect of ſettling among them; and from hence conclude, that ſuch in a pariſh, as are capable of judging, are the fitteſt to be intruſted with the qualifications and character of their public teachers. And you muſt not be offended, if with all freedom I tell you, that I have long been of opinion, that the morals and other neceſſary accompliſhments of miniſters can be intruſted with more ſafety to the choice of men of judgment in the pariſh to which they are preſented, than to the fidelity and zeal of any eccleſiaſtic court whatſoever.

You have always heard that the power of libelling and cenſuring miniſters and preachers, yet remains with the church. But, alas! a little degeneracy of manners makes that power of ſmall avail. And what has happened of late, will ſatisfy all men, who ſhall take the pains to inquire, that though we ought by all means to preſerve, yet we cannot truſt to this remnant of our diſcipline. Beſide the above-mentioned inſtances, I muſt tell you, that in one part of the church, a preſbytery have laboured for three years paſt to convict a notorious drunkard by two ſucceſſive libels, with

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ſo little ſucceſs, that if he had not acknowledged ſome groſs facts, which indeed could not be denied, he ſhould not have undergone any cenſure at all: In another corner, a preſbytery are fighting, and may fight long enough, with every poſſible quibble that can be deviſed, in defence of a miniſter who is univerſally allowed to be in a courſe of riotous living. Need I inform you, that taking encouragement from the alledged neceſſity of legal forms and legal evidence, not only particular miniſters, but ſeveral judicatories in a remote diſtrict, have broke through all reſtraint? One preſbytery have the boldneſs to diſmiſs a libel againſt one of their number, as *irrelevant*, though fornication, drunkenneſs, and profane ſwearing, were ſome of the articles: Another preſbytery did, for two years at leaſt, elude every attempt to do juſtice upon a moſt ſcandalous member, till by his atrocious wickedneſs he raiſed the ſpirit of the country againſt him and his preſbytery; and one of his heritors was brought under the neceſſity of proſecuting him before the Juſticiary Court, by whom he was baniſhed theſe kingdoms.

Be pleaſed to take theſe things under your ſerious conſideration, and tell me what ground is left to thoughtleſs or ill-intentioned people to alledge or inſinuate, that the promoters of the Overture had no higher views than to gratify their own ambition at the expence of any one miniſter?

I know no employment more trifling or fruitleſs than the endeavours of an honeſt man to aſſert the purity of his principles and intentions: for if people are not diſpoſed to judge candidly by his actions, they are not to be ſatisfied by any declarations, no nor the plaineſt reaſonings. There are

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too many who cannot believe that others act from diſintereſted principles, becauſe they ſeldom find themſelves in a diſpoſition to do ſo. From the looks and air of ſome, you may perceive a viſible oſtentation of ſuperior diſcernment, in the pretended diſcoveries they make of the ſecret principles of ambition, envy, or private intereſt, by which others are influenced. And you cannot be ignorant that the bulk of mankind do not think at all, but talk at random, as their paſſions or imaginations ſuggeſt, or as is dictated by leaders. But ſuffering idle talkers to follow their way, let me aſk if you have any difficulty in believing, that among the poſterity and ſucceſſors of thoſe who hazarded every thing dear to them for what they believed to be the intereſt of religion, there ſhould ſtill be found a number of miniſters and lay-elders who will expoſe themſelves to trouble, expence, and obloquy, that they may prevent an inundation of ſtupid or ſcandalous miniſters upon this church?

For my own part, I would not willingly give up the hopes I have long entertained of the clergy of Scotland. I have had the pleaſure to ſee them add to that ſtrictneſs of piety by which they were always diſtinguiſhed, a freedom of thought and gentleneſs of manners, which gave me inexpreſſible delight. And being ſecured againſt cant and grimace, by ſetting aſide the pretended divine right of the people, I flattered myſelf, perhaps too much with the hopes that, in a little time, this Church would, by the influence of men of true judgment, be filled with ſuch miniſters as, through the bleſſing of God, would do eminent ſervice to their country. Perhaps it is not eaſy to give thoſe who have not gone deep into the ſubject a true idea of what

what may naturally be expected from the due execution of our office: but I will never depart from it, that, beſides all his other labours, the miniſter, who ſetting aſide fooliſh diſputations and idle diſquiſitions, does once every week engage the attention of his people a few hours to truths the moſt intereſting and important, promotes the intereſts of ſociety and of mankind—of mankind, I ſay, with reſpect to this and a future life, in a high degree.

LETTER X.

HAVE you heard that a body of learned men have ſold their right of preſentation, not to pariſhes at a diſtance only, but alſo to their own pariſh church, and for the ſake of an hundred pounds or two have put it in the power of a ſtranger to preſent them, if he ſees it his intereſt, with the weakeſt and moſt worthleſs of all the expectants in the church, for their edification, and the inſtruction and edification of the young gentlemen committed to their care? This is a part, you will ſay, which a man of honour will not chuſe to imitate. But is not this the conſequence of treating a ſacred truſt as a mere matter of property? And when they who pretend to the office of forming the taſte, the ſentiments, and the manners of our young gentlemen, are found capable of acting ſo mean and mercenary a part, what may we not fear in an age when almoſt every thing is ſet to ſale? I am aſſured that underhand bargains about a kirk, in which the wretched intrant is loaded with a ſum by far too heavy for his poor ſtipend to bear, to be annually paid out of his pitiful income,

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are not uncommon in ſome parts of the country; nay, there are recent inſtances of fathers, and other relations of preachers, who having no hopes of procuring a ſettlement for them either by their intereſt, or by the merit of the moſt eſſential qualifications, applying their patrimony, and ſometimes a greater ſum, to the purchaſe of a right to preſent to a church, which gives a higher or lower price in proportion to the opinion the purchaſer entertains of the ſtate of the health of the incumbent: nor is it a ſingular caſe for ſuch purchaſers to travel forty or fifty miles merely with a view to hear this incumbent preach, that they may be the better able to judge of his age and infirmities; and the whole tranſaction is managed as if they were to buy an annuity for his life. Theſe bargains are made in the eye of the world. Others, which render the parties more obnoxious to laws, are done in ſecret, though their effects are too viſible in the poverty and wretchedneſs, to which many of the ſacred character are ſubjected. And as I put little truſt in acts of Parliament, and acts of Aſſembly, or in the care and zeal of civil and eccleſiaſtic judges in puniſhing thoſe clandeſtine deeds, which are detected with ſo much difficulty, I muſt upon this, as well as upon many other conſiderations of great weight, regard the abuſe of the patron's power as a matter of public concern. What man of capacity and ſpirit will offer himſelf to the ſervice of a church that can afford as its *ultimatum* no more than bare ſubſiſtence, to be given him, not in conſequence of his trouble and expence in qualifying himſelf for the office—not in conſequence of his moral or intellectual merit—nor on account of the character he has acquired with

proper judges, but in conſequence of his connection with ſome great man, or with the dependant of ſome great man; and a connection perhaps to be purchaſed by engaging to pay a ſum of money that ſhall keep him dependant and wretched for life.

There is no end of reaſoning with men who are determined to maintain the cauſe they have eſpouſed. But you may offer the following plain truths to the conſideration of thoſe of your acquaintance among the laity or clergy, who appear attached to the arbitrary exerciſe of the patron's right.

1. A right of preſenting a miniſter to a pariſh could not be originally intended for gratifying the caprice, the private intereſt or ambition of any man, but is and ought to be conſidered as a ſacred truſt.

2. The laws reſpecting patronage in Scotland do not aboliſh the right of thoſe intereſted and qualified to make a choice of their paſtor, nor infringe that of eccleſiaſtical judicatories to pronounce and proceed upon a preſentation and call, with a juſt regard to the merits of the cauſe, and to the ſtatutes civil and eccleſiaſtical; nor can the act 1711, whatever might be intended by it, be interpreted otherwiſe than in a due conſiſtency with our conſtitution, civil and religious.

3. If we will claim thoſe privileges to which we are intitled by the conſtitution of this Church and by the laws of our country, we are in no danger from thoſe penal ſtatutes which take place in other countries, but are altogether inconſiſtent with our civil and eccleſiaſtic privileges. Tho' the church of England groans under theſe evils which we dread, that is no reaſon for our being ſubjected to them; nor have the people of England a right, nor will they

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be found to have any inclination to deprive us of thoſe advantages we enjoy from the laws of our country and eccleſiaſtical conſtitution. Why ſhould all the miniſters of the church of Scotland be reduced to the ſame unhappy condition with the inferior clergy of the Engliſh church?

4. Whatever we may have to fear from intereſted and deſigning men amongſt ourſelves, we reſt aſſured that no wiſe miniſtry will diſturb the peace of this country, by countenancing an arbitrary exerciſe of the patron's right inconſiſtent with our civil and religious privileges, and in contradiction to the ſpirit of the nation.

5. If they whoſe duty it is to do juſtice to themſelves and to their country, ſhall, through timidity, through neglect, or ſlaviſh ſubjection to the great, ſuffer the arbitrary exerciſe of the patron's right to go on, till it hath obtained the authority of immemorial practice, they are chargeable with the guilt of betraying a truſt repoſed in them by their fellow-citizens, and of giving up the intereſts of religion and virtue in a moſt material point.

6. The tyranny of the populace will be allowed to be more inſupportable than that of a perſon of rank. But it is now too late to adduce their extravagant claim in excuſe of the arbitrary exerciſe of the patron's right; for whatever advantage we may derive from our preconceived prejudices and habits of thinking, the fact is againſt us, as it is well known there is not any number of miniſters in the church to countenance theſe claims—that they are actually given up—and that *now* is the time to ſecure the church for ever againſt them, by deviſing a regulation, which will bring about the ſettlement of pariſhes to general ſatisfaction.

7. All

7. All the care and attention to be expected from church judicatories in licenſing young men to preach the goſpel, cannot ſecure the Church againſt the abuſe of the patron's power, for two obvious reaſons: 1*mo*, Becauſe, at granting a licence, a church court hath not acceſs to pronounce, with any degree of certainty, on the candidate's being poſſeſſed of certain qualifications of more uſe and neceſſity than is his knowledge of theſe branches of ſcience upon which he is examined. 2*do*, Becauſe, being leſs intereſted, they will not employ that accuracy and ſtrictneſs of judgment which may be expected from men of honour and conſcience, who have his diſpoſition and qualifications under conſideration, with a view to a moſt important relation for life.

8. Should men of ſpirit and capacity among clergy and laity (which God forbid!) give up all concern about theſe matters, the ſacred office muſt run the ſame courſe with all others, even the meaneſt employs, which are diſpoſed of by arbitrary will and pleaſure;—the Church muſt unavoidably be filled with the moſt worthleſs and deſpicable miniſters—nor will it be in the power of our judicatories to prevent it. Already, it is more eaſy to procure than to ſtop the licence of young men of ſuperficial accompliſhments, through that zeal with which one acts for a friend, and that coolneſs and irreſolute timidity with which moſt men intereſt themſelves for the public; and if things go on in the manner in which they now proceed, a ſmattering of learning, with the legal acceptance of a preſentation, will be ſufficient to ſupport a preacher of contemptible and even exceptionable character againſt the remonſtrances of thoſe intereſted in the credit

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and ſucceſs of his miniſtry, who, in anſwer to all they can plead, ſhall be told with an air of inſult, that they muſt either give him a libel or ſubmit.

9. The unavoidable conſequences of Simoniacal practices, accompanied with a corruption of manners, will be better felt than they can be imagined at a diſtance.

10. We boaſt of the excellence of our eccleſiaſtical conſtitution, but ought to remember, that being of the republican form, it cannot ſubſiſt long with credit and uſefulneſs, under a decay of principle and degeneracy of manners. The many proceſſes for ſcandal lately commenced, but not ſoon to be finiſhed, are ſuch ſtrong indications of a contagion already begun, and ſpreading too faſt, as ought to alarm every heart that can feel for thoſe intereſts to which our forefathers ſacrificed every thing dear and valuable to them in life.

I hope the importance of the ſubject will excuſe me for exceeding the bounds I had preſcribed myſelf. I have only to add, that the facts referred to are well known to the public, and when conſidered with the care and attention they merit, will juſtify the account given of the preſent ſtate of the church of Scotland, and her imminent danger from the intruſion of an illiterate and an immoral clergy.

THE END.

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